

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

ANTHONY L. SAXTON,)	CASE NO. 3: 06 CV 306
)	
Petitioner,)	
)	JUDGE DONALD C. NUGENT
v.)	
)	<u>MEMORANDUM OPINION</u>
MICHAEL SHEETS, Warden,)	<u>AND ORDER</u>
)	
Respondent.)	

This matter comes before the Court upon the Report and Recommendation of Magistrate Judge Patricia A. Hemann. The Report and Recommendation (ECF # 25), filed on December 6, 2006, is ADOPTED by this Court, and Petitioner's Petition for Writ of Habeas Corpus (ECF # 1), filed pursuant to 28 U.S.C. § 2254, on February 8, 2006, is denied.

Pursuant to Local Rule 72.2, this matter was referred to Magistrate Judge Hemann for the preparation of a report and recommendation. On December 6, 2006, Magistrate Judge Hemann recommended that this Court deny Petitioner's Petition. After numerous extensions of time, on April 12, 2007, Petitioner filed objections to the Report and Recommendation. (ECF # 42.)

The Court has reviewed the Report and Recommendation *de novo*. See *Thomas v. Arn*, 474 U.S. 140 (1985). Moreover, it has considered all of the pleadings, affidavits, motions, and filings of the parties. Despite Petitioner's assertions to the contrary, the Court finds Magistrate Judge Hemann's Report and Recommendation to be well-written, well-supported, and correct. In addition, the Court finds Petitioner's objections to the same to be entirely lacking in merit. Therefore, the Report and Recommendation (ECF # 25) is ADOPTED in its entirety, the Petition for Writ of Habeas Corpus is

DENIED (ECF # 1), and Petitioner's objections are thereby DENIED (ECF # 42).

Furthermore, the Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith, and there is no basis upon which to issue a certificate of appealability. 28 U.S.C. § 2253(c); FED. R. APP. P. 22(b).

IT IS SO ORDERED.

s/ Donald C. Nugent

DONALD C. NUGENT

United States District Judge

DATED: April 24, 2007